

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Assigning the Name of McClain Drive *
to a 1,575-foot portion of a 60-foot-wide public *
road right-of-way currently named Sage Steppe *
Drive located within the Tree Farm PUD and *
Westgate Subdivision.

ORDER NO. 2022-067

WHEREAS, Tree Farm Homeowners Association and Empire Westgate, LLC have applied to change an existing road name pursuant to Deschutes County’s Code, Title 16, Addresses and Road Names, to assign the name of McClain Drive to a 1,575-foot portion of a 60-foot-wide public road right-of-way located in Township 17 South, Range 11 East, Section 35A, W.M., Township 17 South, Range 11 East, Section 35B, W.M., Township 17 South, Range 11 East, Section 35AC, W.M., and Township 17 South, Range 11 East, Section 35, W.M.,

WHEREAS, all public notices required to be given under 16.16.030(B) regarding the proposed name have been given; and

WHEREAS, the appeal period for appealing the Community Development Department’s approval expired; and

WHEREAS, DCC 16.16.030(I) requires road names be assigned by order of the Board of County Commissioners; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDERS as follows:

Section 1. That the name of McClain Drive be assigned to a 1,575-foot portion of a 60-foot-wide public road right-of-way located in Township 17 South, Range 11 East, Section 35A, W.M., Township 17 South, Range 11 East, Section 35B, W.M., Township 17 South, Range 11 East, Section 35AC, W.M., and Township 17 South, Range 11 East, Section 35, W.M., as set forth in Exhibit “A” and Exhibit “B”, attached hereto and incorporated herein.

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Dated this _____ of _____, 20__

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, CHAIR

ATTEST:

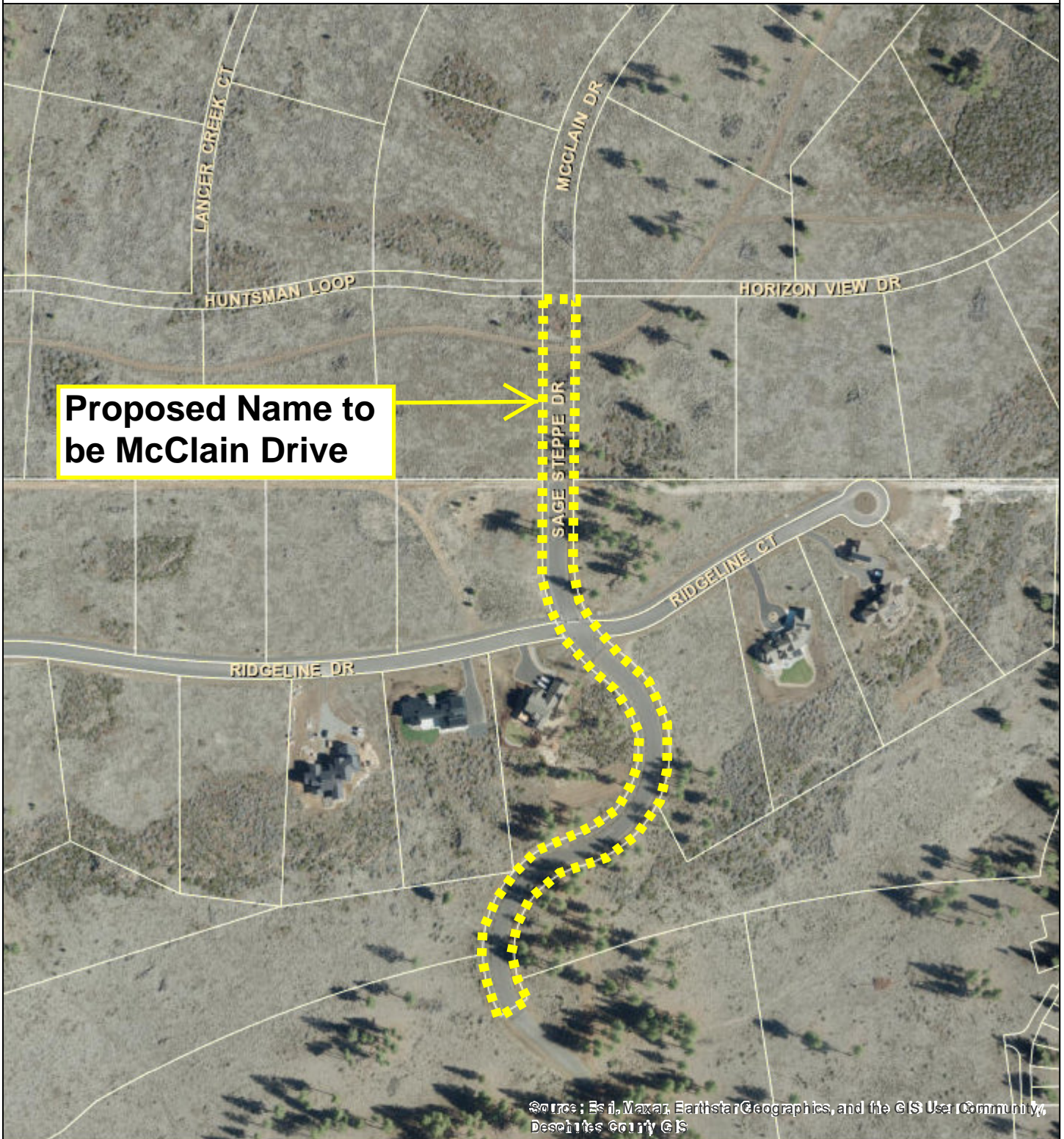
Recording Secretary

ANTHONY DEBONE, VICE CHAIR

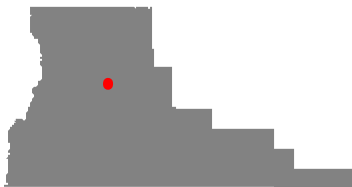
PHIL CHANG, COMMISSIONER

File Number 247-22-000587-RN

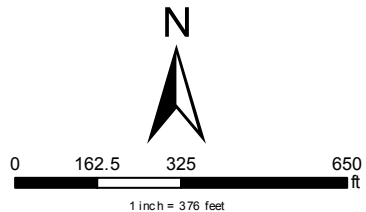
McClain Drive



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Deschutes County GIS



Date: 11/30/2022





Mailing Date:
Monday, December 5, 2022

Exhibit B - Board Order No. 2022-067

COMMUNITY DEVELOPMENT

FINDINGS AND DECISION

FILE NUMBER: 247-22-000587-RN

APPLICANT: Tree Farm Homeowners Association ("HOA")
C/O David Ford

Empire Westgate LLC, c/o Chelsea Spencer

AGENT FOR APPLICANT: Dale Van Valkenburg

PROPOSAL: The applicant requests to establish the name McClain Drive for an existing paved 60-foot-wide public road right-of-way currently named Sage Steppe Drive.

ROAD LOCATION: Tax Map 17-11-35AC and 17-11-35BD; Tree Farm Planned Unit Development

Tax Map 17-11-35BA and 17-11-35AB; Westgate Subdivision

The current roadway, named Sage Steppe Drive, was created in 2016 as part of the Tree Farm Subdivision and continued into the abutting Westgate Subdivision. This 60-foot-wide public right-of-way extends south from the existing McClain Drive to the north, and continues through Westgate and Tree Farm, before it stubs to a dead end at the northern boundary of the Discovery West Subdivision and Bend City limits. The segment of the roadway to be renamed to "McClain Drive" extends south for approximately 1,575 feet (see map on following page).

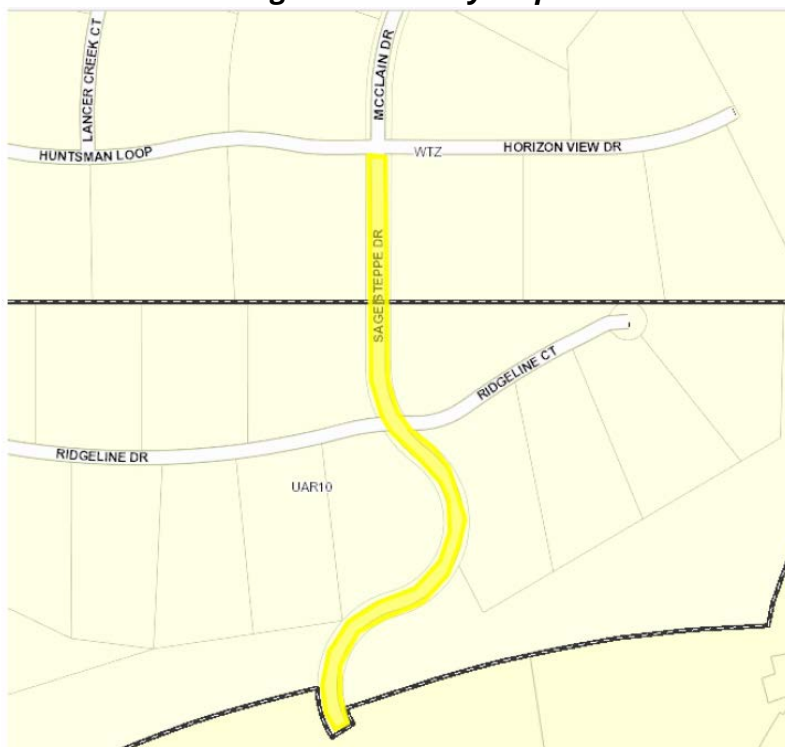
STAFF CONTACT: Haleigh King, Associate Planner
Phone: 541-383-6710
Email: Haleigh.King@deschutes.org

I. APPLICABLE CRITERIA:

II. BASIC FINDINGS:

ROAD DESCRIPTION: In 2016, Sage Steppe Drive was created as part of the Tree Farm and was dedicated to the public as a 60-foot road right-of-way. The northern portion of Sage Steppe Drive, beginning at the intersection of Huntsman Loop and Horizon View Drive, is located within the Westgate subdivision and was dedicated to the public as a 60-foot right-of-way in 2021. The segment to be renamed is an existing paved road that is 1,575 feet in length, extending through Westgate and Tree Farm (and a four-way intersection with Ridgeline Drive and Ridgeline Court), terminating at the south boundary of Tree Farm. The south boundary of Tree Farm abuts City of Bend city limits.

Figure 1 - Vicinity Map



AFFECTED PROPERTIES: There are eight (8) properties with frontage along the road to be renamed; two (2) within Westgate and six (6) within Tree Farm. Currently, six (6) properties take access, and are addressed, from either Ridgeline View, Ridgeline Court or Horizon View Drive. Two properties abutting the subject roadway are not currently addressed and are undeveloped. The following properties have frontage along this road:

ADDRESS	ASSESSOR MAP AND TAX LOT
18988 RIDGELINE DR	171135BD00100
18995 RIDGELINE DR	171135BD01300

19018 RIDGELINE CT	171135AC00300
19005 RIDGELINE CT	171135AC00500
19011 HORIZON VIEW DR	171135AB00700
62315 HUNTSMAN LOOP	171135BA01500
NO SITUS ADDRESS	1711350000700
NO SITUS ADDRESS	171135AC00100

As noted above, all properties abutting the subject roadway are either addressed from another roadway or do not yet have an assigned address.

REVIEW PERIOD: The subject application was submitted on July 19, 2022, and the application was revised and additional information submitted to the record on September 7, 2022. This application will be reviewed in accordance with DCC 16.16 and requires final approval by the Board of County Commissioners (BOCC) per DCC 16.16.030(I).

PUBLIC AGENCY COMMENTS: The Planning Division mailed notice on July 27, 2022, and again on September 15, 2022, to several public agencies and received the following comments:

Deschutes County Address Coordinator, Tracy Griffin (9/15/2022):

There are no property addresses affected by this road name change.

Deschutes County Senior Transportation Planner, Peter Russell (9/23/2022):

I have reviewed the transmittal materials to rename an approximately 1,575-foot-long segment of Sage Steppe Drive to McClain Drive in the Tree Farm and Westgate developments on County Assessor's Tax Map 17-11-35AC and 17-11-35BD (Tree Farm) and 17-11-35BA and 17-11-35AB (Westgate). The renaming makes sense. No traffic analysis or transportation system development charges (SDCs) are required. Thanks.

The following agencies did not respond to the notice: 911, Bend-La Pine School District, Deschutes County Assessor, Deschutes County Road Department, Deschutes County Sheriff's Office, Deschutes County Surveyor, Cascade Natural Gas Co., Pacific Power and Light, Bend Cable Communications, CenturyLink.

PUBLIC COMMENTS: Notice was sent to the eight (8) affected properties per DCC 16.16.030(B). The applicant also posted a proposed road name sign. Staff received one written comment in support of the application from Lynnanne Hayes and Randy Nebel, the property owners of 19011 Horizon View Drive.

III. **CONCLUSIONARY FINDINGS:**

CHAPTER 16.16, ROAD NAMING

Section 16.16.010, Road Naming Authority.

- A. Deschutes County, through the Community Development Department, shall have the authority to and shall assign road names to roads requiring names as provided in DCC 16.16.**

FINDING: The subject road naming application is being reviewed by the Deschutes County Community Development Department. This criterion is met.

Section 16.16.020, Unnamed Roads.

All unnamed public and private roads and other roadways which provide access to three or more tax lots, or which are more than 1,320 feet in length, shall be assigned a name in accordance with the procedures in DCC 16.16.030.

FINDING: The subject road currently named Sage Steppe Drive provides access to eight (8) tax lots and exceeds 1,320 feet in length. Therefore, staff finds the proposed road name assignment to McClain Drive must be reviewed in accordance with the procedures in DCC 16.16.030, which are addressed below. This criterion will be met.

Section 16.16.030, Procedures for Naming New Roads.

A. Application.

- 1. The naming of a road may be initiated by the Community Development Department, Planning Commission, the Board, or by application of adjacent property owners, developers, or public agencies which may be affected by road names.**

FINDING: This application was initiated by the Tree Farm Homeowners Association¹ and Empire Westgate, LLC² on September 7, 2022. This criterion is met.

- 2. An application to name a road shall be submitted to the Community Development Department and shall include, at a minimum, the following:**
 - a. Name of applicant;**
 - b. Location of road by description and or map;**
 - c. Legal status of road, if known;**
 - d. Proposed road name, with two alternate proposed names;**
 - e. Reason for name request;**
 - f. Petition(s) attached, if any, and**
 - g. Fee, if any, as established by the Board.**

FINDING: The applicants submitted the required information and fee identified above. These criteria are met.

¹ The Tree Farm Homeowners Association own the abutting property identified on Deschutes County Assessor's Map 17-11-35, Tax Lot 700 and Map 17-11-35AC, Tax Lot 100.

² Empire Westgate, LLC is the developer of the Westgate Subdivision.

- B. Notice of a proposed name assignment shall be sent to all persons owning property abutting the affected road or having an address on the affected road. Such notices shall be sent within 10 days of the receipt of an application, if any, or other action initiating the proposed road name assignment.**

FINDING: On September 15, 2022, staff mailed notice of this pending application to the eight (8) property owners abutting the subject road to be renamed. This notice was mailed within ten (10) days after the application was received. This criterion is met.

- C. Persons receiving notice under DCC 16.16.030(B) shall promptly notify any tenants or other occupants of the affected property of the proposed road name assignment.**
- D. Any person receiving notice under DCC 16.16.030(B) above may comment in writing on the proposed name within 10 days from the date of notice.**

FINDING: The mailed notice included a statement requiring the recipient to notify any tenants or other occupants of the affected property of the proposed road name assignment. Staff received one written comment, dated September 25, 2022, in support of the application from Lynnanne Hayes and Randy Nebel, the property owners of 19011 Horizon View Drive. These criteria are met.

E. Standards

- 1. General. The proposed road name shall:**
- a. Be limited to a maximum of two words.**
 - b. Not duplicate existing road names, except for continuations of existing roads.**
 - c. Not sound so similar to other roads as to be confusing.**
 - d. Not use compass directions such as North, East, South, etc., as part of the road name.**
 - e. Not use designations such as Loop, Way, Place, etc., as part of the road name.**
 - f. Improve or clarify the identification of the area.**
 - g. Use historical names, when possible.**
 - h. Reflect a consensus of sentiment of affected property owners and occupants, when possible, subject to the other standards contained in DCC 16.16.030.**

FINDING: The applicant has not proposed any alternate road names other than McClain Drive. Staff finds the proposed road name McClain Drive meets the standards above as it is a continuation of McClain Drive to the north. These criteria are met.

- 2. Particular Roads. The proposed road name shall also conform to the following standards:**
- a. North/South roads shall be called "roads" or "streets."**
 - b. East/West roads shall be called "avenues."**

- c. **Roads dead-ending in a turnaround 1,000 feet or less from their beginning points shall be called "courts."**
- d. **Roads of reduced right-of-way or curving roads of less than 1,000 feet shall be called "lanes" or "terraces."**
- e. **Curving roads longer than 1,000 feet shall be called "drives" or "trails."**
- f. **Roads that deviate slightly from the main course of a road with the same name, are less than 1,000 feet in length, shall be called "places."**
- g. **Roads that are four lanes or more shall be called "boulevards."**
- h. **Historical roads shall be called "market roads."**
- i. **Roads running at oblique angles to the four points of the compass, less than 1,000 feet in length, shall be called "ways." (See Appendix "D," attached hereto.)**
- j. **Roads that begin at and circle back onto the same road, or that are circular or semicircular, shall be called "circles" or "loops."**

FINDING: The road segment to be renamed is approximately 1,575 feet in length and extends south from the existing McClain Drive. Given these circumstances, staff finds "drive" is the appropriate suffix. These criteria are met.

F. Staff Review and Road Name Assignment: The Community Development Department shall review road name applications and shall assign road names under the following procedure:

1. **Verify legal status of road with the County Clerk's office and Road Department.**

FINDING: The road to be renamed was created and publically dedicated as part of the Westgate Phases 5, 6, and 7³ Subdivision recorded on April 15, 2021, and the Tree Farm Subdivision⁴ recorded on October 27, 2016. The Deschutes County Clerk's Office and Road Department have records of this approved subdivision and the creation of this public road. This criterion is met.

2. **Check proposed road name(s) to avoid duplication or confusing similarity with other existing road names, with those on approved preliminary land divisions and with those approved for future use.**

FINDING: The Deschutes County Address Coordinator confirmed the proposed road name is unique and there are no other similarly named roads in Deschutes County. This criterion is met.

3. **Perform a field check, when necessary.**
4. **Assist the applicant or other affected person(s) to find alternate names when required.**

FINDING: For the purposes of this review, staff relied on existing County records and aerial images

³ Reference Land Use File Nos. 247-19-000500-MP, 501-TP.

⁴ Reference Land Use File Nos. 247-14-000242-CU through 251-TP.

to verify the applicable requirements. As detailed in this decision, the proposed name McClain Drive satisfies the applicable requirements. Therefore, no alternate names were necessary or submitted. These criteria are met.

- 5. Notify appropriate persons, departments and agencies of the road name application, and request comments.**
- 6. Review and consider all comments submitted.**
- 7. Assign a road name in accordance with the standards set forth in DCC 16.16.030(E) above.**

FINDING: As detailed in the Basic Findings above, the appropriate persons, departments and agencies received notice of this pending application. All of the submitted comments were reviewed in coordination with the Deschutes County Property Address Coordinator and the assigned name, McClain Drive, meets the standards of DCC 16.16.030(E). These criteria are met.

- G. Notice of Staff Decision. Following assignment of a road name by the Community Development Department, notice of the road name assignment shall be sent to all persons entitled to notice under DCC 16.16.030(B).**
- H. Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Community Development Department. Such appeals shall be conducted in accordance with the provisions of the Deschutes County Development Procedures Ordinance, except where the provisions of DCC 16.16.030 conflict with the procedures ordinance, in which case the provisions of DCC 16.16.030 shall apply. Affected property owners and occupants shall have 10 days from the date of the staff decision in which to file an appeal. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein.**

FINDING: A Notice of Staff Decision will be mailed in accordance with the requirements of DCC 16.16.030(B). This notice will include information on the right to appeal as detailed above. These criteria will be met.

- I. A road name assignment becomes final when no further right of appeal established herein is possible. Within 10 days of the road name assignment becoming final, the Board shall sign an order establishing the road name as assigned by the Community Development Department.**

FINDING: Within ten (10) days of this decision becoming final and absent an appeal, the proposed road name assignment of McClain Drive will become final under Board Order 2022-067. This criterion will be met.

- J. The affected property owners and occupants shall have 180 days from the date of the Board order of road name assignment to begin using the road name.**

FINDING: To ensure compliance a condition of approval has been added. This criterion will be met.

- K. Notice of Decision. Following the order of the Board naming a road, the Community Development Department shall:**
- 1. Notify the applicant requesting the road name of the action**
 - 2. Send copies of the order naming the road to the following:**
 - a. Road Department**
 - b. Assessor's Office and Tax Office**
 - c. Postmaster**
 - d. Planning Department**
 - e. County Clerk's office**
 - f. Affected telephone and other utilities**
 - g. Affected fire department(s)**
 - h. Local school district(s)**
 - i. Emergency services, i.e., police, fire, 911, etc.**
 - 3. File the original order naming a new road with County Clerk**
 - 4. On a monthly basis, the Community Development Department shall publish a list of changed road names in a newspaper of general circulation designated for the purpose of the Board.**

FINDING: Following review of the Board Order, staff will provide notice of the Board Order to the required entities identified above and the Board Order will be recorded in the Deschutes County Clerk's records. The proposed road name will be published in a newspaper with the list of changed road names. These criteria will be met.

Section 16.16.040 Procedures And Standards For Changing Existing Road Names

The following procedures and standards shall apply to the changing of existing road names:

- A. An existing road name may be changed by the Community Development Department if the existing name:**
- 1. Duplicates a pre-existing road name within the same postal zip code or geographic area;**
 - 2. Sounds like or is spelled so similarly to a pre-existing road name in the same postal zip code or geographic area as to cause confusion between the two roads;**
 - 3. Is known by more than one name;**
 - 4. Is different than the name of the road of which it is a continuation; or**
 - 5. Is not consistent with County road naming standards set forth in DCC 16.16.**

FINDING: In 2016, Sage Steppe Drive was created as part of the Tree Farm and was dedicated to the public as a 60-foot road right-of-way. The northern portion of Sage Steppe Drive, beginning at the intersection of Huntsman Loop and Horizon View Drive, is located within the Westgate and was dedicated to the public as a 60-foot right-of-way in 2021. This existing paved road is 1,575 feet in length, extending through Westgate and Tree Farm (and a four-way intersection with Ridgeline Drive

and Ridgeline Court), terminating at the south boundary of Tree Farm. The south boundary of Tree Farm abuts City of Bend city limits. The purpose of the road name change is to ensure consistency in street names for the continuation of McClain Drive.

B. *In choosing which road name to change as between two or more roads with the same or similar names (affected roads), the department shall consider the following factors:*

- 1. The number of properties, developed and undeveloped, abutting each affected road;***
- 2. The length of time a name has been in use to designate each affected road and whether the name used to designate each road has any historic significance;***
- 3. Whether one affected road as named is relatively better known by the general public than the other affected road or roads as named;***
- 4. Any showing that a proposed road name change would be relatively more burdensome to abutting property owners than if another affected road name were changed.***

FINDING: The applicant has chosen to rename the 1,575-foot-long segment of Sage Steppe Drive to McClain Drive as the existing McClain Drive contains a greater number of properties, developed and undeveloped, abutting the affected road. Eight (8) properties currently abut Sage Steppe Drive and no addresses will be affected. Staff finds it is most logical to rename the short segment of Sage Steppe Drive as opposed to renaming the existing McClain Drive roadway segment, which crosses into City of Bend jurisdiction and extends north for over 5,000 feet. Renaming the existing McClain Drive right-of-way would also affect a significantly larger number of properties who take access from and are addressed off McClain Drive.

C. *Proposed name changes shall proceed under the process specified under DCC 16.16.030.*

FINDING: The requested road name change will follow the process specified under DCC 16.16.030, above.

IV. CONCLUSION:

Based on the foregoing findings, staff concludes that the proposed road name can comply with the applicable standards and criteria of the Deschutes County Road Naming Ordinance if conditions of approval are met.

Other permits may be required. The applicants are responsible for obtaining any necessary permits from the Deschutes Road Department as well as any required state and federal permits.

The Deschutes County Road Department will coordinate the posting of a new road sign with the Property Address Coordinator. Please coordinate with the Deschutes County Road Department

regarding fees related to the creation and installation of the new road sign.

V. DECISION:

APPROVAL, subject to the following conditions of approval.

VI. CONDITIONS OF APPROVAL:

A. The affected property owners and occupants shall have 180 days from the date of the Board Order of road name assignment to begin using the road name. Note: This requirement will only impact property owners and occupants that currently take access from Sage Steppe Drive.

VII. DURATION OF APPROVAL:

This decision becomes final ten (10) days after the date mailed, unless appealed by a party of interest. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein. To appeal, it is necessary to submit a Notice of Appeal, the appeal fee of \$250.00 and a statement raising any issue relied upon for appeal with sufficient specificity to afford the Hearings Body an adequate opportunity to respond to and resolve each issue.

Within ten (10) days of this decision becoming final and absent an appeal, the Board of County Commissioners shall approve the subject road name assignment pursuant to Board Order 2022-067.


Copies of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost. Copies can be purchased for 25 cents per page.

NOTICE TO MORTGAGEE, LIEN HOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

DESCHUTES COUNTY PLANNING DIVISION



Written by: Haleigh King, Associate Planner

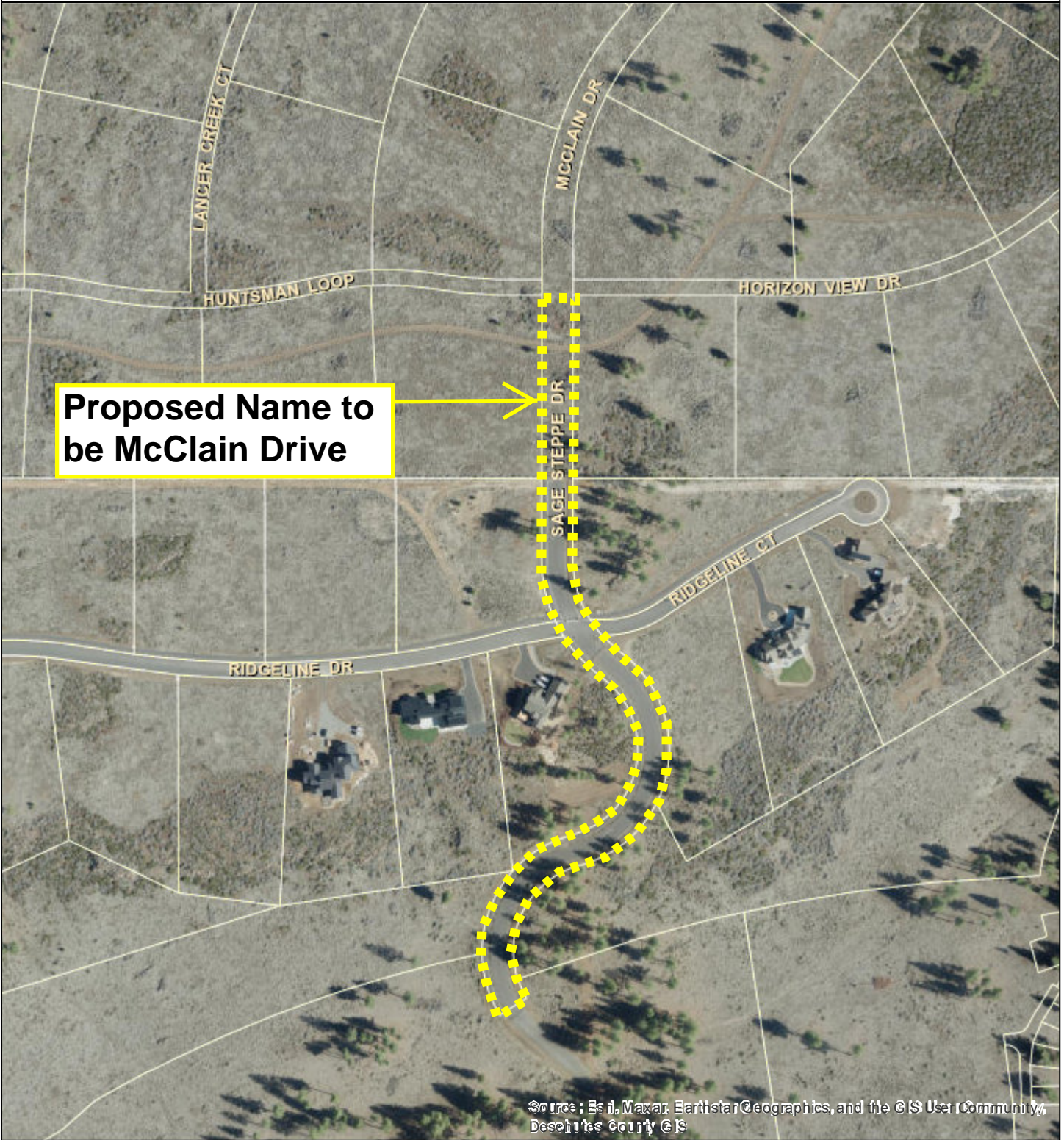
A handwritten signature in black ink, appearing to read "Will Groves". The signature is fluid and cursive, with the first name "Will" and last name "Groves" clearly distinguishable.

Reviewed by: Will Groves, Planning Manager

Attachment: Road Location Map

File Number 247-22-000587-RN

McClain Drive



Source: Esri, Maxar, EarthstarGeographics, and the GIS User Community, Deschutes County GIS



Date: 11/30/2022

